

GEORGIA BANKS COUNTY  
FILED 9 DATE OF May 2017  
11:05 O'CLOCK AM  
RECORDED IN BOOK 438  
PAGE 131-132 DATE 5/10/2017  
Jimmy B. Massey, REC

Space above reserved for recording

Prepared by and Return to:  
S.E. Pritchard Law, LLC  
P.O. Box 112  
Maysville, Georgia 30558

CROSS REFERENCE:  
DEED BOOK 307, PAGE 524  
DEED BOOK 438 PAGE 91

STATE OF GEORGIA  
COUNTY OF BANKS

**AMENDMENT TO THE AMENDED DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS FOR HAMMER'S GLEN**

WHEREAS, an Amended and Restated Declaration of Covenants, Conditions and Restrictions for Hammer's Glen was recorded on June 19, 2007, in Deed Book 307, Page 234, *et seq.*, Banks County, Georgia land records (hereinafter referred to as the "Original Declaration") as may be amended; and

WHEREAS, Banks County Golf, LLC is the successor Declarant to Hammer's Glen, LLC and Scales Development Co., LLC; and

WHEREAS, as of the date of this Amendment, Buildout of the Community has not occurred; and

WHEREAS, Article XIII, Section 4 of the Original Declaration may be unilaterally amended by the Delcarant at any time until Buildout; and

WHEREAS, the Declarant desires to amend the Original Declaration; and

WHEREAS, this amendment does not materially and adversely affect the substantitve rights or title of any Owner of a Lot subject to the Original Declaration, nor does it alter, modify, change or rescind any right, title, interest or privilege held by any mortgage holder on any Lot; provided, however, if a court of competent jurisdiction determines that these amendments do so without such mortgage holder's consent, then these amendments shall not be binding on the mortgage holder so involved, unless it consents hereto; and if such consent is not forthcoming, then the provisions of the Original Declaration prior to these amendments shall control with respect to the affected mortgage holder;

NOW, THEREFORE, the Original Declaration, and all exhibits thereto, are hereby stricken in their entirety and this Amendment submits the property to the provisions of the Declaration of Covenants, Conditions & Restrictions for Chimney Oaks recorded on May 9, 2017, in Deed Book 438, Page 91, *et seq*, Banks County, Georgia land records.

IN WITNESS WHEREOF, the undersigned Declarant, hereby certifies that the above amendment to the Original Declaration was duly adopted by Declarant, with any required notices duly given.

This 8 day of May, 2017.

Sworn to and subscribed to before  
me this 8 day of May,  
2017.

**BANKS COUNTY GOLF, LLC.**

By:  (Seal)  
James A. Pritchard III, Member

  
\_\_\_\_\_  
Witness

Notary Public

